

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FARMERS STATE BANK; OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS; ALVION PROPERTIES INC;

**vs**

**CASE NO** 15-40462  
**CHAPTER:** 11

ALVION PROPERTIES INC; CASE COAL LLC, DONALD  
RISHELL; UNITED STATES TRUSTEE

**DATE:** December 15, 2015  
**PLACE:** Benton

---

**PRESENT:** Honorable William V. Altenberger, US Bankruptcy Judge

<b>COUNSEL FOR PLAINTIFF:</b> Nick Cirignano	Appears
Shirley Cho	Appears
Douglas Antonik	Appears

<b>COUNSEL FOR DEFENDANT:</b> Douglas Antonik	Appears
Pro Se	Fails to Appear
Mark Skaggs	Appears

**PROCEEDINGS:** 1) Objections to Amended Disclosure Statement  
2) Motion to Appoint Disbursing Agent with Objections  
3) Motion to Sell with Objections  
4) Applications to Employ with Objection

**MINUTES OF COURT:**

Case is called for hearing on the Objections to Amended Disclosure Statement filed by Farmers State Bank and the Official Committee of Unsecured Creditors, on the Motion to Appoint Disbursing Agent filed by Alvion Properties Inc with Objections filed by Farmers State Bank of Alto Pass and Official Committee of Unsecured Creditors, on the debtor's Motion to Sell and Objections filed by Case Coal LLC and Donald Rishell, on the Application to Employ Pachulski, Stang, Ziehl & Jones LLP as Counsel, Application to Employ Bryan Cave LLP as Local Counsel, Application to Employ Kingett Warren, PC as Special Tax Counsel, and Application to Employ Giuliano, Miller & Company, LLC as Financial Advisor all filed by the Official Committee of Unsecured Creditors with Objection filed by United States Trustee to the Application to Employ Financial Advisor. Laura Hughes appears for the Official Committee of Unsecured Creditors. Joel Kunin appears for George Howard and SWRR Properties Inc. Disbursing agent Robert Eggmann appears. Brian Bojo appears for Web Creek Management Group. Richard Coffman for the Official Committee of Unsecured Creditors appears telephonically. No one appears on behalf of Case Coal LLC and Donald Rishell.

Donna Beyersdorfer  
Clerk of Bankruptcy Court

By: /s/Thala Krieger  
Deputy Clerk

**NOTE: THESE WRITTEN MINUTES ARE A CLERICAL ENTRY OF THE COURT PROCEEDINGS FOR RECORD KEEPING PURPOSES ONLY. THEY ARE NOT AND SHOULD NOT BE CONSTRUED AS THE ORDER OF THE COURT, WHICH WAS ORALLY DELIVERED. CONSULT THE TRANSCRIPT OF PROCEEDINGS FOR THE ACTUAL ORDER.**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FARMERS STATE BANK; OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS; ALVION PROPERTIES INC;

vs

**CASE NO** 15-40462  
**CHAPTER:** 11

ALVION PROPERTIES INC; CASE COAL LLC, DONALD  
RISHELL; UNITED STATES TRUSTEE

**DATE:** December 15, 2015  
**PLACE:** Benton

---

**PRESENT:** Honorable William V. Altenberger, US Bankruptcy Judge

<b>COUNSEL FOR PLAINTIFF:</b> Nick Cirignano	Appears
Shirley Cho	Appears
Douglas Antonik	Appears

<b>COUNSEL FOR DEFENDANT:</b> Douglas Antonik	Appears
Pro Se	Fails to Appear
Mark Skaggs	Appears

**PROCEEDINGS:** 1) Objections to Amended Disclosure Statement  
2) Motion to Appoint Disbursing Agent with Objections  
3) Motion to Sell with Objections  
4) Applications to Employ with Objection

**MINUTES OF COURT:**

Pursuant to the statements made in open court, the Objections to Disclosure Statement are resolved. Debtor is to file an Amended Plan and Disclosure Statement within 30 days. Failure to file the Amended Plan and Disclosure Statement within 30 days may result in this Court taking any other action deemed appropriate, which may include granting or denying the relief sought.

Pursuant to the findings and conclusions made in open court, the Objections to the Motion to Appoint Disbursing Agent are resolved and the Motion is Granted. Order to enter.

Pursuant to the findings and conclusions made in open court, the Objections to the Motion to Sell are Overruled and the Motion to Sell is Granted. Order to enter.

Pursuant to the findings and conclusions made in open court, the Application to Employ to Counsel, Application to Employ Local Counsel, Application to Employ Special Tax Counsel and Application to Employ Financial Advisor are Granted. The Court reserves ruling on the hourly rates and reasonableness of fees.

Donna Beyersdorfer  
Clerk of Bankruptcy Court

By: /s/Thala Krieger  
Deputy Clerk

**NOTE: THESE WRITTEN MINUTES ARE A CLERICAL ENTRY OF THE COURT PROCEEDINGS FOR RECORD KEEPING PURPOSES ONLY. THEY ARE NOT AND SHOULD NOT BE CONSTRUED AS THE ORDER OF THE COURT, WHICH WAS ORALLY DELIVERED. CONSULT THE TRANSCRIPT OF PROCEEDINGS FOR THE ACTUAL ORDER.**